

McS

Decision No. 12937

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

-000-

ORIGINAL

In the Matter of the Application of  
RICHMOND-SAN FRANCISCO TRANSPORTATION  
COMPANY for certificate of public  
convenience and necessity to operate  
one steamboat for the transportation  
of automobiles, passengers and freight  
for compensation, between points upon the  
inland Waters of the State of California.

)  
:  
) Application No. 9430  
:  
)

Preston & Duncan, by John W. Preston and  
Sanborn & Roehl and Delancey C. Smith, by Arthur B.  
Roehl, for applicant.

Gwynn E. Baker, for Richmond Navigation &  
Improvement Company, Protestant.

Elmer E. Robinson, for San Francisco & Richmond  
Ferry Company and Ellis Landing & Dock Company, Protestants.

B. Levy, for Atchison, Topeka & Santa Fe Ry. Co.  
Protestant.

F. W. Mielke, for Southern Pacific Company.

G. A. Corbett, for San Francisco-Oakland Terminal  
Railways.

Raymond Benjamin, for Monticello Steamship Company.

W. W. Scott and J. A. McBittie, for City of Richmond.

J. S. P. Dean, for Bay & River Boat Owners Ass'n.

H. W. False, Stockholder San Francisco-Richmond  
Ferry Company.

O. Ludwig, for O. R. Ludwig, Stockholder San Francisco-  
Richmond Ferry Company.

WELLSLEY, Commissioner:

## O P I N I O N

In this proceeding the Richmond-San Francisco Transportation Company, a corporation, petitions the Railroad Commission for a certificate of public convenience and necessity authorizing the operation of a steamship line as a common carrier of passengers, automotive driven and horse drawn vehicles of all kinds between San Francisco and Richmond, California.

Applicant proposes to have its ferry boat leave Richmond at 6 a.m. and every 90 minutes thereafter to and including 10:30 p.m. and to leave San Francisco at 6:45 a.m. and every 90 minutes thereafter to and including 11:15 p.m. One ferry boat is to be used in the proposed service and rates to be charged are as more fully set forth in Exhibit "D" attached to the application herein. The proposed schedule of rates were amended at the hearing to eliminate Items 16, 17 and 19 covering stock and loose freight not on vehicles, it being the intention of applicant to handle only passengers, automotive vehicles, trailers and horse drawn vehicles carrying freight or passengers.

The application was protested by existing boat lines and railroads, certain of these protestants withdrew when the application was amended to eliminate the handling by applicant of freight not on vehicles.

The Atchison Topeka & Santa Fe Railway Company, operate a ferry between San Francisco and Richmond, but this ferry is operated only when necessary to connect with the main line trains of the railroad company and it does not carry vehicles of any nature.

The Monticello Steamship Company's protest was not to the effect that a necessity did not exist for the service, in fact this protestant contended that a necessity did exist for automotive

ferry service between the points proposed to be served by this applicant, but that the Monticello Company and not the applicant should be granted such a certificate. In that no proper application has been filed by the Monticello Steamship Company for a certificate, no certificate could be granted to them in connection with the formal proceeding filed by this applicant.

The San Francisco-Richmond Ferry Company protested the granting of the application upon the ground that such corporation had heretofore been authorized to issue stock by the Railroad Commission for the purpose of constructing and operating a ferry between San Francisco and Richmond. This authorization, however, to issue stock has expired and this protestant has not at any time acquired a ferry boat or rendered service between the points above named. Further, several of the stockholders of the San Francisco-Richmond Ferry Company appeared at the hearing and stated that they were in favor of the present applicant being granted a certificate to render service as proposed instead of the company in which they had purchased stock.

A number of witnesses were called who testified in behalf of applicant. All of this testimony was to the effect that the City of Richmond was badly in need of the ferry service as proposed by the applicant herein. I do not think it necessary to review this evidence in detail as the record in this proceeding shows conclusively that a public necessity exists for the establishment of automotive ferry service between San Francisco and Richmond and an order will be entered accordingly.

I submit the following form of order.

O R D E R

A public hearing having been held in the above entitled application, evidence having been submitted and the Commission being fully advised,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that present and future public convenience and necessity require the operation by Richmond-San Francisco Transportation Company, a corporation, of ferry service for the transportation of passengers, automotive vehicles, horse drawn vehicles, trailers and passengers or freight contained therein, and,

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be, and the same hereby is granted, subject to the following conditions:

1. Applicant shall file within a period of not to exceed thirty (30) days from date hereof, its written acceptance of the certificate herein granted; shall file within a period of not to exceed sixty (60) days from date hereof, tariff of rates, identical with the tariff of rates set forth in Exhibit "D", attached to the application herein, as amended, and shall commence service under the certificate herein granted within a period of not to exceed two hundred (200) days from date hereof, unless such time is formally extended by supplemental order.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 17<sup>th</sup> day of December, 1923.

*C. S. Sealey*  
*H. M. Brundage*  
*Dwight Martin*  
*J. P. Whittier*  
Commissioners